

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
FEB - 7 2012

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

ANDREW WOLTERS,
Plaintiff,

Civil Action No. 7:11-cv-00586

v.

MEMORANDUM OPINION

BOBBY RUSSELL,
Defendant.


By: Hon. Jackson L. Kiser
Senior United States District Judge

Andrew Wolters, a federal prisoner proceeding pro se, filed a motion for a preliminary injunction. I construe his request as a motion for a temporary restraining order because the defendant, Western Virginia Regional Jail ("Jail") Superintendent Bobby Russell, has not yet been served. Plaintiff requests injunctive relief to require Jail medical staff to treat his hypoglycemia and to give him more food.

Plaintiff was incarcerated at the Jail when he instituted this action, but he is now incarcerated at a federal facility in Pennsylvania. Plaintiff's transfer from the Jail moots his claims for injunctive relief about his incarceration there. Incumaa v. Ozmint, 507 F.3d 281, 286-87 (4th Cir. 2007). Plaintiff is no longer exposed to the Jail's policies or practices, and I cannot provide him any meaningful equitable relief about the Jail's conditions to which he is no longer subjected. Accordingly, plaintiff's request for preliminary injunctive relief is denied as moot. This action is stricken from the court's active docket because plaintiff did not file an accompanying complaint.¹

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to plaintiff.

ENTER: This 7th
12 day of February, 2012.


Senior United States District Judge

¹ Plaintiff has subsequently filed Wolters v. Commonwealth of Virginia, et al., No. 7:12-cv-00006, in which he names Bobby Russell as a defendant and alleges similar claims about his hypoglycemia.